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ABSTRACT

The statement of Senator Alan Simpson (Republican, Wyoming) is in opposition to the House of Representatives Bill to reauthorize use of bilingual ballots in United States elections. The principal argument offered is that use of bilingual ballots would promote divisiveness rather than inclusion or cohesion, by encouraging the growth of enclaves within the country where English is not the common language. Several prominent authors are cited as opposing the spread of bilingualism. It is suggested that providing bilingual ballots would: (1) not encourage the learning of English but would reduce pressure to learn it and give the impression that the government does not consider knowledge of English to be important; (2) support ethnic separateness; and (3) endanger consistency in communication. A number of legislators who have supported the learning of English among immigrants are cited. It is further argued that the government has little evidence to support continuing use of bilingual ballots, and that since their institution, the voting rate among Hispanics has actually declined in relation to that of white voters. Votes in California that reject bilingual ballots are also noted. Several questions concerning the effectiveness of bilingual ballots are posed as issues that must be investigated further. (MSE)

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OUR SYMBOL IS THE STATUE OF LIBERTY TORCH, CAPTURING THE SPIRIT OF IMMIGRANTS WHO LEARNED ENGLISH AND BECAME FULL MEMBERS OF AMERICAN SOCIETY

Statement of

United States Senator
Alan Simpson

During Debate on H.R. 4312
A bill to reauthorize the use of Bilingual Ballots in the United States

From the Congressional Record
Thursday, August 6, 1992

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Statement of Senator Alan Simpson (R-WY) During Debate on H.R. 4312, A Bill to Reauthorize the Use of Bilingual Ballots in the United States. From the Congressional Record, August 6, 1992.

Mr. SIMPSON. Mr. President, to discuss this is obviously a bit difficult to do, perhaps probably the most politically incorrect thing to do, but I want to share with my colleagues some very serious concerns. I hope we all understand that what we are addressing here is not a civil rights bill, which has all the connotations of sparks and fire and racism, and all the stuff that goes with this kind of a debate. This is not a civil rights bill. Some are portraying it [as that] -- not the proponents, but others out there known as "the groups," which is a sinister phrase in itself. It is not a civil rights bill. It is a bilingual ballots bill.

I oppose this bill in my own complete good faith, because I truly believe that it will actually promote divisiveness rather than inclusion, rather than cohesion.

It certainly will not happen with my friends, Senator Simon and Senator Kennedy. The three of us happen to constitute one of the smallest subcommittee[s] in the Senate, the Subcommittee on Immigration and Refugee Policy. There are only three of us. Senator Kennedy is chairman, Senator Simon, and I am the ranking member. I think that is because no one else likes to even get involved in these issues. Our chairman, Senator Biden, and our ranking member, Senator Thurmond, allow us to proceed in these tough issues of immigration, refugee policy, funding of refugees, issues of illegal immigration, legal immigration, restrictions, allocations.

These are difficult things, but I trust that we will not be drawn into any ugly suggestions of racism. Certainly, it will not come from my colleagues on the subcommittee, because we all get quite enough of that in our line of work in this place.

As I have often said -- and I know it is tedious to many, and I know you all tire of it -- I have been here 13 years plus, and I have watched continually how the deft use of emotion, fear, guilt, or racism is used to pass or kill a measure. "So it was in the beginning, is now, and ever shall be," we say in our faith. Let it be clear, too, that this is not a stall on my part, and I know Senator Simon and Senator Kennedy will agree. I see the groups, as we call them, have indicated that I was up to something like that. That is not true. You will see that, indeed, it is not true.

I want to thank the fine majority leader. He has been very helpful. I know there has been a great deal of pressure from the groups to press forward, regardless of intent or content or anything else, or even discussion to try to wrap this one up. He has given me the opportunity to express myself here in a brief period of time, as has Senator Simon, as has Senator Kennedy, the chairman of the subcommittee.

So I just say that this amendment would extend what I consider, and others out in the land at least -- there will not be many here that will surface on this one. This is very politically incorrect to dabble in this mystery right here, and that is why I want to dabble with it for a little bit of time.

This amendment would extend what I consider to be an ineffectual provision of the Voting Rights Act, which is the bilingual ballots provision, for another 15 years. I had hoped that we could examine it and let it be extended for 5 years or 10, not 15, especially when for 17 years it has proven to be, I think, ineffectual.

Let me say that I do not believe in any way that the proponents do not feel strongly that it will increase voter participation via minority language groups and bring them more fully into the political system. I do not question in any way the good will or good faith of my colleagues who sponsored this bill, but I do fear -- and I share with my colleagues -- that these provisions will do more to separate than to include.

I believe we must be very, very careful when we treat certain groups special. In some cases, the end may justify special treatment, but in others, such as in the case of bilingual ballots, the special treatment that they provide has not been shown to result in greater participation of language minorities in the voting process.

My concern about the bill comes, in part, from my participation in this area of immigration and refugee matters for 12 years. In 1986, I sponsored an immigration bill with a highly successful legalization program. It brought nearly 3 million additional new immigrants into a legal status in the United States, into the fabric of our Nation where they could no longer be exploited or used. I had a tough time hauling the water on that, but we got it done, thanks to the help of a lot of thoughtful Republicans and Democrats, because the only avenue for the legalization of these 3 million was the bill. Yet, the groups resisted the passage of the bill, which was a totally selfish and rather repugnant act, I thought, as I observed it take place. That is history.

Then, in 1990, Senator Kennedy and I cosponsored an immigration bill which increased legal immigration to this country by nearly 40 percent -- we took some rocks on that one -- the largest single increase in our country's history. But we got reform and changes in the preference system, and we got some things that made a difference, and it is on the books. So, as a result, immigration now to the United States is at an all-time high. We will admit, legally, more than 800,000 newcomers to the United States this year alone. People are observing this, especially in times of their own extremity, in times [when] their own jobs [are] at stake. They are watching very carefully, not in a racist way, just in a way of surviving.

So we will take in 800,000 newcomers this year alone. Hundreds of thousands more will enter illegally still and remain in this country, until we do something with the identifier systems. I think, without putting any type of pressure on my colleague, I think Senator Simon agrees that some type of universal identifier, which is not intrusive, not carried on the person, not used for law enforcement, not used for any other purpose than presentation at the time of new hire, is something to consider.

I will not take him any deeper into that pit this evening, but we will discuss that at a future time, indeed. Again, that is something that is not maybe PC, but let me tell you it is very important if you want the systems to work with existing legislation that we have.

So with what is coming legally and illegally, because of the lack of proper identifiers and total fraud within the system of what is presented, we will raise the total annual immigration to more than 1 million persons this year.

With legal immigration at record rates, we have to pay, I think, clear attention to the integration and assimilation of these new Americans. Those are not nasty words. Assimilation and integration never have been flash words or charge words and, yet, they seem to be somewhat now. That is not my intent. We really do not ask very much of a new immigrant to this country, but one thing we do expect of them is that they accept our system of government and our common language and a common flag. I refer to this as our public culture. What they wish to do in their private culture is nobody's business.

It is particularly important that we insist upon this acceptance of our public culture if we

expect the majority of American people, the majority of American people, to continue to support -- and I do not know that they will much longer support -- continued large-scale immigration to the United States.

In my mind, the surest way to encourage xenophobia, fear of foreigners, which is all over the continents of the world now -- people run in various countries as xenophobes, as foreign baiters, and they win tremendously increasing amounts of the ballot strength in each country. Very disturbing.

But in my mind the surest way to encourage xenophobia and ethnic prejudice is to encourage the growth of enclaves in the United States where English is not the common language, which is the language of commerce, the language of Government, and the language of jobs. The language of employment is English.

The late Theodore White, the great author and the man I got to know somewhat, wrote to me during the consideration of the 1986 Immigration Reform and Control Act, saying that he considered -- this is Teddy White -- he considered bilingualism and biculturalism to be the greatest threats that our country faced. That is Theodore White, The Making of a President, a chronicler of our times.

Similarly, the deeply loved and respected author, James Michener, who is a personal friend of mine -- I met him many years ago when he was writing Centennial. He has studied and written about most of the societies and peoples of the world, and faiths and ethnic groups. He has been a guest in my home and I in his. We have personally visited many times about his concern that bilingualism seems to be permitted or to be encouraged in so many forms in the United States.

I think Senator Kennedy will remember, as we dealt with this bill twice before, James Michener in the gallery observing the Senate activities, and I remember that very well.

Arthur M. Schlesinger, Jr., who is not unknown to my colleague from Massachusetts because of his remarkable work with the Senator's brother, in his recent book, Arthur Schlesinger, Jr. said -- this is the book entitled The Disuniting of America, Reflections on a Multicultural Society. And he writes:

> What happens when people of different ethnic origins, speaking different languages and professing different religions, settle in the same geographical locality and live under the same political sovereignty? Unless a common purpose binds them together, tribal hostilities will drive them apart. Ethnic and racial conflict, it seems evident, will now replace the conflict of ideologies as the explosive issue of our times.

And he was not just talking about foreign countries, he was speaking about all societies.

Now, all of these men are true civil libertarians, not racists, not xenophobes, but they do care about unity and stability in their beloved country.

I fear that providing bilingual ballots to certain groups in this country will not encourage the learning of English. Rather, it will reduce the pressure to learn English on those who are offered ballots in another language. Bilingual ballots give the impression that our Government does not consider English knowledge to be especially important. We need to bring people into the mainstream of our society, and treating them specially, differently or separately, does not further that goal.

Recent events in this country have focused on differences between ethnic groups. We hear of news reports around the world reporting about an America which is fragmented, which is not united, which consists of groups of others fighting among themselves, beating each other up; stories about black persons being brutally beaten by white cops, Korean immigrants trying to make it by working hard defending their stores with guns against mobs who would burn them out because of their race and their color. That is how others in the world see us today.

It just seems to me that we in Congress should be doing whatever we can to help people to become and feel that they are part of our society, part of our system, one nation, our nation, indivisible and under God. That is not corny stuff. That is how we formed this country. It is the only nation on earth founded with the belief in God or founded on the belief in God. People came here for that purpose, significantly and primarily so.

So what is the one thread that holds us all together, united? I believe that it has to be the English language, and the rest of our public culture.

I believe that anything we do to discourage the use of English, particularly when participating in our system of government and voting for people who represent it, is wrong. To be able to communicate and understand one another is a key to an integrated society that we all aspire to in this country. But we will not have an integrated society unless we can all communicate in a common language.

A few weeks ago -- and you will hear this -- on CBS radio there was a news report discussing the unrest in Mount Pleasant a year or so ago, and the complaint by some Hispanic leaders that not much had changed. They did not feel their promises had been kept and the promises of the majority in the District had not been met.

The Hispanic leader who was speaking about what needed to be done by the D.C. government was giving his address in Spanish, while another person was providing a simultaneous translation in English. We all know [what] simultaneous translations are. It is kind of like taking a deep breath and hope you got some of it. Whether it is the Russian or Turkic or whatever it may be, simultaneous translations leave so much unsaid.

So, my thought was, as I thought of that, that the District government should do more to include the Hispanic population, and that the Hispanic leaders [could] communicate their concerns much more effectively if they could do it in our common language, which is English.

My point, Mr. President, is that the building of any consensus, the doing of things we do here, parties working together, the reason that has ruptured in legislatures all over the world is that sometimes they do not speak a common language and they do not care to speak a common language and they do not intend to.

My point is that the building of consensus, the implementation of any solution that we come to in government, can best be done in a single, common language. And for the essence of American politics, the genius, if you will, of American politics is compromise. Compromise is an art that many, no, I would say, that most other countries have totally failed to achieve.

But to compromise, you must first understand clearly the other's position. And to understand the other's position, you must be able to listen to the other person. And how can we listen or learn or hear or explain to each other if we do not speak the same language? It cannot be done.

Now, I know that my friend from Illinois, a fine friend of over 20 years -- we met long before we came to this place; we were legislators together in our respective States, known to

me during those years -- who authored the book The Tongue-Tied American, believes that we should all learn other languages. He puts great stake in that. I agree.

And I am ashamed that I and so many of us right here are monolingual. Learning another language is so important. I hope that those that come here knowing another language will keep that language and teach it to their children.

But for a successful, truly successful, life to be led in America, whatever that term means -- and it does not mean money; it means satisfaction and the blessings of America -- but for a successful life to be had in America, they must know and use English.

All the great leaders of the Hispanic-American community know that. And yet they also know that they can build their constituencies if they can just take anybody into their system, under their wing, and they know in their heart what they are doing to their own system.

We here in the Senate have acknowledged the importance of knowing English on many occasions. And let me refresh your memory on this one. I recall the very first successful amendment to my original immigration bill in 1982 was a provision -- it was a sense-of-the-Senate provision -- to adopt English as the official language of the United States. It passed big. The vote was 78 to 21. Go look at the roll call vote on that one. An array of the most extraordinary liberals, progressives, conservatives -- whatever you want to define in a category, and it passed 78 to 21.

Of course Senator Hayakawa was here. And he was the one speaking very vigorously on it. I think it came up again. There was a vote of 75 to 26. There were other times when we dealt with it.

Sam Hayakawa was absolutely eloquent as he described how he succeeded in America, and he succeeded because of his knowledge of English and nothing more. Except he became, then, a semanticist and taught in the colleges of America.

I opposed that amendment when it came up. Go look at the people who opposed it, too. But I opposed it only because I believe it has [no] place on an immigration bill dealing with illegal immigration. Nonetheless it passed this body by a 4-to-1 margin and, as I say, our departed friend Sam Hayakawa, rest his soul, led the debate on that.

I also then remember the Jim Wright amendment to the Simpson-Mazzoli immigration bill of 1986. That amendment, sponsored by the then House majority leader, [became] cause part of the House bill and was accepted by the Senate conferees in conference. It required any illegal immigrant receiving legalization to learn English before acquiring permanent status.

Speaker Wright, as he later became, knew exactly what was required to make it in America: English. He was from Texas. English proficiency is not only the key to success in America but increasingly the key to success around the world and is the key to jobs.

So when I see any Government program that does not encourage English proficiency -- and this is surely one -- I wonder what effect that will have on our common bond, the common thread that binds us [all together]. I worry that what we are doing is simply for effect, for temporary, feel-good effect, which would surely backfire [on] us in the future. So I look at this bill and I ask if it will have the effect of making everyone from every group feel included, represented, involved, given a stake, being a player in our society?

Let us look at the figures. I have said this before. Everyone is entitled to their own opinion but no one is entitled to their own facts.

I have looked at them. I am not convinced at all that bilingual ballots do anything to help unity, cohesion, and inclusion. I wonder if bilingual ballots might actually encourage feelings among those people of feeling very separate, and very apart, and very different.

I think we could all agree that nothing is more important to full participation in our system of government than the act of voting, the sacred act. Are bilingual ballots [a] way of telling people that they can fully participate in our society without knowing English, or are we telling them they are separate and different? Or is it just big nanny or a paternalistic Federal Government saying to someone that what we are doing is best for you, or we think it is best for you?

I am concerned that Congress does not have the evidence to support continuing bilingual ballots. I feel that by going ahead despite having no knowledge of its effects, we could be doing even more damage by expanding bilingual ballots to additional jurisdictions, and that is what this bill does.

But, let me say right here and right now -- and maybe this debate can bring us to that point -- if someone can show me that bilingual ballots are truly needed, effective, and increase voter participation, and if they are truly useful and helpful in bringing people into our public culture, making them feel part of rather than separate from, I will support this bill. And I urge my colleagues to do the same.

But I am not ready to do that on faith or on the vaporous and heady fumes of feel-good symbolism. I believe that a Federal requirement that State or local jurisdictions print official documents in languages other than English is generally a very bad idea. And there must be solid evidence that will produce a substantial good before we continue that activity.

Let me go over some of the questions I have about bilingual ballots. Let us start with the hard data. This data all comes from the U.S. Department of Commerce, Bureau of the Census.

If bilingual ballots are intended to increase minority group participation in the voting process, I am here to tell you that they surely have failed. First let us look at the Hispanic voter registration numbers. I have heard it said that bilingual voting assistance doubles or triples voter participation. That is not true. After 15 years of bilingual ballots, the registration among Hispanic citizens [has] moved up only 4 percent, to just over 50 percent. When it comes to actual voting the numbers are worse, 34.3 percent of Hispanic citizens of voting age actually voted in 1978. In 1990 that number had declined to 33 percent.

So, since the institution of bilingual ballots, the rate of voting participation for Hispanic citizens of voting age has declined. Please hear that. I have a chart to reflect that and would ask Mr. Day if he would retrieve that and I will present it to you without the giant rack which goes with it, which looks like a roller coaster apparatae.

So, hear that. Since the institution of bilingual ballots the rate of voting participation for Hispanic citizens of voting age has declined. Some will say -- so what? All voting percentages have declined.

Let us look at the relative decline in voting. Are white voting rates declining faster than minority language voting rates? No. They are not. Minority language voting rates declined faster over the last 15 years.

So, do bilingual language, bilingual ballots, bring white and minority language participation rates closer together? No. That is certainly not the way I see it.

There is your description, percent of citizens reporting voting in congressional election years -- by race. Rather an interesting thing we do now in our electoral process. It seems to be big in both parties but let us look at it because here it is.

In 1978 there was a difference here between white voter turnout and Hispanic voter turnout of 14.5 percent. Here to here.

And in 1990, this difference between the white voter turnout and the Hispanic voter turnout is 15.2 percent.

So there you are -- 34 percent here dropped to 8 percent there. That is extraordinary. And [those are] the facts. That is what we are talking about here. I know there will be other, I am sure, fact[s]. But I do not know anything more graphic than that.

So, do they bring these participation rates together, closer? No. That is not the way it is. That is not so. And these are from the Department of Commerce and Bureau of the Census.

Then, between 1978 and 1990, the gap as I say between the percentage of Hispanic citizens voting and the percentage of white citizens increased from 14.5 to 15.2, and that is not a majority/minority distinction either; or a problem with the Voting Rights Act in general. Blacks -- and let us get this out of the way so we can move on to the debate -- blacks have greatly benefited from the Voting Rights Act. And that is marvelous. That is what we were about.

In Mississippi, for instance, only 6.7 percent of the black voting age population was registered before 1965, the year the Voting Rights Act was passed. Only 7 years later, 63.2 percent of such persons were registered to vote.

Clearly, when the Voting Rights Act is the legislative solution to a very real problem, it can be very effective, was and is, and I have supported that fully.

Please hear me, I do not blame bilingual ballots for the decline in the voting participation rates by Hispanic citizens. I know the census figures are not perfect. I believe there are probably more Hispanic voters today than there were 15 years ago, and there certainly should be, because I have been involved in that, as our immigration laws over the last 15 years have been particularly generous [with] regard [to] Hispanic immigration. And I have been an engine in that change.

But these census figures do raise some very valid questions about whether bilingual ballots are doing anything useful to increase the participation of language minorities in the electoral process. I do not doubt that bilingual ballots are used, but that does not mean that they are needed. I hope we can make that distinction, or that it means that they are effective in increasing voter participation.

I would believe it [to] be natural for a person who speaks English at work and Spanish at home to choose the Spanish language ballot if it were available, even though that voter could fully understand the ballot or other materials in English. The fact that bilingual ballots are used does not mean that they are needed or that they increase voter participation.

So, has Section 203 of the Voting Rights Act been a factor? I see no statistics at all to reflect that. If the all-English ballot is the problem, then 15 years of bilingual ballots has not been the solution.

I am told that some proponents of this bill are working to come up with additional infor-

mation that will show that bilingual ballots are effective. They say, do not rely on the national data; look to the individual jurisdictions where these laws apply.

I would like to look, but I have not seen that information yet. If it exists, I hope someone will show it to me with dispatch. This is the place for that. If it does not exist, I would like to get it. Or perhaps help find it. In fact, if additional information is forthcoming, I would hope then that we would postpone action on this bill to see what we may be able to learn from the new data and, remember, if this bill did not pass just because this is the date of expiration, not a single person would be denied their right to vote. Not one.

And I urge commentary with regard to that. No one would be deprived of their right to vote if this did not pass. It will pass. They would only be denied their right to have a bilingual ballot, but not the right to vote, so that is not a correct statement anyway. So I await that data.

I will have an amendment to reauthorize bilingual ballots for 5 years and give us an opportunity to get a detailed report of the necessity and effectiveness of bilingual ballots. At the end of 5 years, we can review all the data which we do not have at this time and then make an informed decision about the continued use of bilingual ballots. That is a sincerely offered proposal. I am more than uncomfortable dealing with this bill otherwise.

I do not think we can find any justification to reauthorize bilingual ballots until the year 2007 -- 2007. How can we impose something that has hardly worked, or maybe it does not work at all, on the country until the year 2007? That is regrettable logic. How can we explain it to people if we do not have any evidence to support it?

I believe that the American public is largely opposed to bilingual ballots. Every time it is on the ballot, they vote against it with big numbers, and we are not talking about racism. Let us not slip back over into that where we always go when the facts fade. The American public is largely opposed to bilingual ballots. They are even opposed to further immigration. They are even opposed to further illegal immigration. They always have been, and they are even opposed to legal immigration. That is why I have been proud to wend my way through that and try to bring more people to the United States, and we have been successful, but it is not the most popular thing.

When Congress last addressed bilingual ballots in 1982, there had been virtually no polling or voting by the American public on the issue of English as our Nation's official language. Since 1982, the people have expressed themselves and their position on this issue time and again, and as their representatives, we must try to make certain that their desires are at least considered instead of just laughed off.

I think that the position of the general public is pretty clear. San Francisco, 1983, 64 percent of voters in a referendum in that remarkable, multicultural city voted against bilingual ballots and asked Congress to repeal the law mandating it.

California, 1984, 72 percent of the voters in a statewide initiative voted against bilingual ballots and asked Congress to repeal the law mandating it. The Governor duly petitioned the Congress, and we duly ignored it and the wishes of the people of California.

California, 1986, 63 percent of the voters approved a constitutional amendment making English the State's official language. One of the biggest issues in that election was bilingual ballots.

State after State [has] been passing laws making English their official language. It has been my personal experience that support for the use of English is particularly pronounced among the recent immigrant groups. I do not believe it is the newcomers themselves who

expect or want the Government to do this or to coddle them. I really believe that. And I have talked with them.

We in the Congress have been criticized up and down the pike for allegedly ignoring the wishes and desires of the American public. I do not believe that. But, nevertheless, they say we are out of touch or we do not get it -- a certain arrogance and real elitism there. A nice phrase from the groups who really do not get it themselves.

It seems to me that the American public, including our various and diverse ethnic groups, have made their position quite clear on the language issue, and it is as if we ignore them again as we consider bilingual ballots this year, we will be giving them one more piece of evidence that we are indeed out of touch, we really do not get it.

Let me speak for just a moment on the proposed expansion of the bilingual ballot which is also contemplated by this legislation. This is not just a renewal or an extension, this is an expansion.

The bill proposes new coverage for jurisdictions for more than 10,000 of the citizens of voting age who are members of a single language minority and have limited English language proficiency. This apparently is intended to cover language minority citizens who, even though they might number 10,000 or more in a single county, still do not make up 5 percent of the voting age population. Counties like Los Angeles, Cook, and some in New York would probably be among those newly covered by these provisions. Indeed, they would.

I believe the sponsors' estimate [of] this measure would extend bilingual ballots to an estimated 24 counties.

What bothers me is that I have not seen the justification for this expansion of coverage for these areas.

Good questions would be:

Are they hotbeds of discrimination in voting? I would like to know that.

Are they in for use for English-only election material? I would like to know that.

Are minority language voters in these areas clamoring for bilingual ballots? I would like to know that. I do not think so, though. The Justice Department has testified that "it has not received significant numbers of complaints" for these jurisdictions.

Is there a compelling reason to expand bilingual ballots into these large counties?

The reasoning behind this adding of 10,000 persons, a quota, makes sense only if one blindly assumes that bilingual ballots are inherently good. But also note that the expansion of bilingual ballots to every county, which includes -- now get this, because we have Indian reservations in my State. Those that do not are not really understanding this one. I also note that this is going to go to every county which includes any part of an Indian reservation, and that would require bilingual ballots in every single one of those counties, even if the Native Americans all lived in one part of the reservation in one county. That is bizarre.

Furthermore, [there are] languages of the Indian Native American people which have never been set down in writing. They cannot be. They have passed into history, or maybe never started with a written language.

But that is the paternalism we are going to take care of. What is the justification for the

type of expansion of the program?

When the Justice Department does not receive many complaints, and that is their testimony, when the proponents cannot really tell us why we should expand this coverage except to say that it is American and it is patriotic and it is right -- and all those things are great, but what is the reason -- then my question is why are we then doing this other than the fact you will not find many people voting against it? But there are a lot of them who will come up to you in the hall and say, "Al, you are really on the right track with that one, but I will not be anywhere around when the vote is called up yonder on that one." I understand that. That is how I get in a lot of trouble around here.

Why are they then doing this? As we consider this legislation, I hope every one of us will consider that question: Why are we then doing this? If there is a hard reason or a real need, I would very much like to hear what it is.

No election will be affected this year. Everyone will have the right to vote. They can go to vote. They can pick up the ballot. The only "right" that will be missing is the bilingual ballot. So I would like to hear what that is. I presume that the new trigger was written into the bill for a reason. I cannot believe we believe that we are expanding coverage just to cover more jurisdictions. That is what a lawyer might call "boot strapping."

A third question to consider is who uses bilingual ballots? I know there is a position of my colleagues in support of this bill which says that some of our senior citizens are incapable of learning English so they need special assistance. After all, these folks are given an exception under the naturalization requirement that they know English before becoming citizens. They have already received that exception, and that is good. Or perhaps they are used by persons like Cuban Adjustment Act citizens who become citizens only 3 years after coming here -- we never corrected that one yet -- and they do not have time to master English.

But, my colleagues, they really do have time. They have had time to do very well in this country, and they probably have learned English if they are doing well. If they are not doing well, they probably have not learned English, and they learn in an abused and exploited condition in the bowels of New York, in the ghettos of larger cities. That is where they are, being abused because they do not know English.

So they really do have time to learn, and we have English as a second language. I am ready to support that. I am ready to put up more money for that anywhere in the United States. I think it is very important.

But I am certain that bilingual ballots do serve some people in these categories. I believe that. And we need to do what we can to help these folks in the electoral process. But what about this? And hear this carefully. I am going to conclude in a very few minutes. What about the report -- now get this one -- of the GAO [General Accounting Office] that 77 percent of the users of Spanish language ballots are native-born Americans? Try that one on. GAO reports 77 percent of the users of Spanish language ballots are native-born Americans, not the people we are trying to bring in to help over the hump, to give that little boost; indeed not.

What about our naturalization laws that require a knowledge of English in order to become citizens? I do not think bilingual ballots should be used to fill the holes of a faulty naturalization process or a faulty educational process where people are not learning English who were born in the United States of America. That is not the purpose of the bilingual ballot. That is the purpose of an educational system that apparently is not working.

Bilingual ballots are not a solution to our Nation's educational problem. I fear that they

are, indeed, a divisive, misleading, expensive, and disruptive Government program that as far as I can determine -- and I have been looking around -- has produced no real results after 15 years.

There is no real reason given to us to expand and extend this program. It is an unnecessary intrusion of the Federal Government into the processes of State and local governments. And I want to quote Linda Chavez. Mr. President, do not think she does not get a rich rash of stuff from some of the groups, because she is very successful, very outspoken, former staff director of the U.S. Commission on Civil Rights. She recently wrote this, and I think it has a tremendous ring of truth from my knowledge in these past years in dealing with the groups.

> Today, few Hispanic organizations on their own promote English or civic classes for Latin immigrants. Instead of imbuing immigrants with a sense of the importance of acquiring and adopting the common English language, Hispanic leaders place greater emphasis on retaining Spanish and thus encourage Hispanics to remain separate from the culture in which they reside.

I share Ms. Chavez' view that the efforts of the groups to extend bilingual ballots could better be directed at promoting English classes for those who need to improve their English to naturalize or to vote or simply do as well as is possible to do in this country. That is what those groups ought to be doing, but they do not do it.

Ask them the reasons for that. I have my own view and I have shared it with many of them in their organizations.

It is just my hunch they hope that then those people realize somehow those people who are in the groups have been their salvation, when their salvation will be the English language.

What about the possibility of translation errors? That is a real possibility based on past experience. Some of these California propositions and even Wyoming constitutional amendments are difficult enough to read in English, much less figure them out well enough to translate into another language. Translations are not exact, as we all know. In Canada, where every law in the books is printed in both English and French -- get this -- lawyers spend hours [poring] over each version to determine which one would best suit their purpose when bringing an action based on a statute. Sometimes they choose the French version, sometimes they pick the English version, not because they favor one language or another, but because the nuances of one translation will better assist them in their cause and in their case.

As far as the ballot initiatives are concerned, the solution is to improve the procedures a State or locality uses to put a measure on the ballot, not to have bilingual ballots.

In fact, I believe that most States provide a separate ballot summary and a title for complex initiatives. You will find that.

I fully support a translated sample ballot if someone needs it. But why does the Government have to require it? Why cannot community groups such as the local chapters of MALDEF, [the] Mexican-American Legal Defense [and Education] Fund, or LULAC, [the] League of United Latin American Citizens, voluntarily provide sample ballots translated into the language of the local community? It would be a good exercise and good civics for their lawyers to explain the ramifications of a complex ballot measure to the folks right there in their own communities. And if the Government is going to continue to require translation [of] ballots, I think we would do a great service by requiring notice on all translated materials, and that notice should acknowledge the possibility of translation errors, and inform the user that

the official version of the ballot is the English version.

One thing we do not need are disputes arising from voters casting their ballots in the foreign language, while voters using the English versions cast their votes for something different. We do not need that. That happens in other countries, and those countries are in civil and social turmoil.

People who do not feel comfortable with an English language ballot have all sorts of options open to them right now, if this thing was never on the books. These options are available for everyone, every voting citizen, including people who are native-born Americans who are illiterate in the English language.

One option is the absentee ballot; do that, which a voter can fill out at his or her leisure at the kitchen table. You can do that right now, long before this ever came into the system.

If the voter does not understand something, he or she will have time to ask. Look it up, or read more about it in the newspaper, if they can. And the newspaper can be in whatever language they want; whatever one the voter chooses.

Another option that many people use is to bring a friend or a relative to the voting booth to provide assistance. Some people might claim this is an invasion of privacy and of their right to a secret vote. But it is an option that many people can and do use.

One can also take notes into the ballot box, and marked-up sample ballots with them into the voting booth to cast the ballot. It is not like some closed-book test, where you walk in with no notes, try to understand the question, and through some higher power -- one I sometimes never found in some classes -- try to divine the right answer.

But it is a culmination of a process which includes watching television, reading the newspaper, and talking with friends and relatives, neighbors, coworkers and fellow union people, or fellow farmers, about the pros and the cons of the ballot choice. That is what it is about. That is participatory democracy, not just machine stuff, automation -- walk in; crank; out the door.

If one wants to write down the choices before entering the voting booth, and take the votes with him or her, in any language chosen, he or she is free to do so. That is the law now. So there are many alternatives, and most of the immigrant groups may have to use these alternatives. They will.

Yet, this legislation provides bilingual ballots for a select group -- Hispanic Americans, Asian Americans, and Native Americans. There is not one single thing here for the voter who speaks Russian, or Polish, or Italian, or whatever language. And -- get this -- more Russians received immigrant visas last year than any other national group. I am sure that will be a very quick amendment. We will have that in there very swiftly, I would think, when we brought in over 50,000, or some such figure, in these last months of people who speak Russian. They are not mentioned here.

There is nothing here for the Ethiopian or the Iranian refugee, but these folks will do quite fine, thank you. They will learn English; they will vote; and they will succeed here without bilingual ballots. That has been our tradition. That is our history.

I fear this legislation will only serve to reinforce the non-English speaker's native language, and relieve the pressure -- that is a good word to use, the pressure -- on that individual to learn English. And that we must never do. We must keep that pressure on our citizens to learn English always, for their benefit, for the betterment of their own lives, for their totally

selfish benefit, for their jobs, and for our country's benefit.

Mr. President, the Government-mandated program also most surely does create additional expense for local jurisdictions, and I firmly believe that if we are going to issue a Federal mandate to these local jurisdictions and if we feel this is so important that we must require them to provide bilingual ballots, then we must be ready to put our money where our mouths are and provide the necessary funding for that.

I will offer an amendment which will provide for Federal funding of any federally mandated bilingual voter assistance.

I would like to speak a great deal more about such things as the unfairness of providing bilingual ballots to some groups and not to others; the serious insult we pay to immigrants who have taken the time and have made the effort to learn English; and other problems I have with this legislation. But I am not going to do that. It is not my intent to filibuster this legislation, and never was.

So I do want once again to ask my colleagues this question: What are bilingual ballots for? Then I want to ask another question: Does this legislation, in its parts or in its entirety, accomplish that purpose?

I know all of us still have in mind the Los Angeles riots, the problems troubling our Nation that that violence brought home to us.

I believe we must consider whether this Government mandate or these bilingual ballots contribute to a common, central experience to all Americans, or whether it will send a message that we are composed of separate groups. Do we get along as best we can, or does the Government once in a while step in with something like bilingual ballots that are well meant, but indeed may simply contribute to the problem we set out to address?

I close with something else that Linda Chavez recently wrote, and she received unshirted hell from most of the groups, as we refer to them.

She said this:

> Assimilation has become a dirty word in American politics, invoking images of people, cultures, traditions, forged into a colorless alloy, in an indifferent melting pot. Where once the goal of new arrivals was to gain admittance to the American mainstream as rapidly as possible, now ethnic leaders advocate groups remain separate; that native cultures and languages be preserved intact; and that every effort be made by society to accommodate ethnic "differences."

This brash and strong-willed woman, Linda Chavez, goes on to point out in the article that while it is true in some parts of the country that Hispanics are less likely to vote than either whites or blacks, the problem is not language, but the fact that then-Senator Barry Goldwater once put in an earlier hearing on the bilingual ballot issue that:

> Forty percent of all Spanish-origin persons who were not registered in 1974 reported they were not citizens.

I hope that big government will not once again, in this year, take a well meaning step that has an adverse -- if unintentional -- consequence. This is one of those issues which is political-

ly correct here inside the Beltway. You bet. When we get one of these types of issues, we sometimes do strange things.

During the debate on the immigration bill [which] Senator Kennedy and I sponsored, for instance, while this body warmly embraced my proposal that we give preference to an immigrant who had a Ph.D., it voted down my proposal that we give preference to an immigrant who spoke English, despite the fact that the immigrant was a doctor, and is likely to be more wealthy, more privileged, and elite than the one with the high school diploma who has learned English.

A vote against a preference for knowing English was the PC vote -- politically correct -- in the finest form. Now this body that was opposed to giving immigration preference to immigrants speaking English will have an opportunity to vote on whether the Federal Government should mandate special help for immigrants and others who cannot read or speak English very well. That will be the amendment of Senator Brown.

The census form says that if you speak English very well you do not do the bilingual ballot. But if you speak it only well, you do. That needs a new definition, and Senator Brown will discuss that.

So I see it simply as a question of what is in the national interest. I believe unity and commonality and inclusion are in the national interest. I believe a common language, through which all Americans can communicate with each other, is in the national interest. And I believe that unrelenting pressure to learn English on all who join our society is certainly in the national interest.

As for political correctness, a politically correct vote in our own districts and States will be against a Government-mandated program which has not been shown to be effective, and which may indeed be unintentionally very much against the national interest.

I thank my colleagues for their patience. I think this is well within the discussion of time, and without a time agreement.

I appreciate the indulgence of my colleagues.